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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)
Plaintiff,)
v.)
DENIS NAHUN TORRES,)
a/k/a Denis Nahun Torres Medina,)
a/k/a Denis Torres,)
a/k/a Denis Medina,)
Defendant.)
No. CR 12-0306 SI
CR 08-0913 SI

**STIPULATION AND [PROPOSED]
ORDER EXCLUDING TIME UNDER 18
U.S.C. § 3161**

On August 24, 2012, the parties in this case appeared before the Court. At that time, the parties informed the Court of the need for motion practice to resolve an issue of law and that defendant's counsel intends to file a motion to dismiss the indictment on September 21, 2012. The parties have agreed to exclude the period of time between August 24, 2012 and September 21, 2012 from any time limits applicable under 18 U.S.C. § 3161. The parties represented that granting the exclusion would allow the reasonable time necessary for effective preparation of counsel. *See* 18 U.S.C. § 3161(h)(7)(B)(iv). The parties also agree that the ends of justice served by granting such an exclusion of time outweigh the best interests of the public and the

STIPULATION & [PROPOSED] ORDER EXCLUDING TIME
CR 12-0306 SI & CR 08-0913 SI

1 defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). At the hearing, the Court made findings
2 consistent with this agreement. SO STIPULATED:

3 MELINDA HAAG
4 United States Attorney

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6 DATED: August 24, 2012

/s/
7 J. MARK KANG
Special Assistant United States Attorney

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9 DATED: August 24, 2012

/s/
10 JODI LINKER
Attorney for DENIS NAHUN TORRES

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[PROPOSED] ORDER

For the reasons stated above and at the August 24, 2012 hearing, the Court finds that the exclusion from the time limits applicable under 18 U.S.C. § 3161 of the period from August 24, 2012 through September 21, 2012 is warranted and that the ends of justice served by the continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. §3161(h)(7)(A). Denying the requested exclusion of time would deprive the parties of the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. §3161(h)(7)(B)(iv).

IT IS SO ORDERED.

DATED: August 28, 2012

Susan Illston
THE HONORABLE SUSAN ILLSTON
United States District Judge